

BOSTON REDEVELOPMENT AUTHORITY

REPORT AND DECISION ON APPLICATION FOR APPROVAL OF
THE REDEVELOPMENT PROJECT LOCATED AT 30 WALLINGFORD
ROAD IN BRIGHTON BY THE JEWISH COMMUNITY HOUSING FOR
THE ELDERLY III, INC.

A. The Hearing. A public hearing was held at 2:00 P. M. on May 29, 1975, in the offices of the Boston Redevelopment Authority (hereinafter called the "Authority") at the New City Hall, Room 921, Boston, Massachusetts, by the Authority on an Application (hereinafter called the "Application") filed by The Jewish Community Housing for the Elderly III, Inc., (hereinafter called the "Applicant") for authorization and approval of a redevelopment project under Chapter 121A of the General Laws of the Commonwealth of Massachusetts and Chapter 652 of the Acts of 1960, as amended, (hereinafter called the "Project"), due notice of said hearing having been given previously by publication on May 13, 1975 and May 20, 1975 in the Boston Herald American, a daily newspaper of general circulation published in Boston, and mailing postage prepaid, in accordance with Rule 8 of the Rules and Regulations of the Authority for securing the approval of Chapter 121A Projects, and in accordance with the provisions of Section 13 of Chapter 652 of the Acts of 1960, as amended.

Robert L. Farrell, Chairman of the Authority, and James G. Colbert, Joseph Walsh and Paul Burns, members of the Authority, were present throughout the hearing.

B. The Project. This Project consists of the construction, operation and maintenance by the 121A Corporation of approximately 212 apartment units and appurtenant facilities on a parcel of land located at 30 Wallingford Road in Brighton in the City of Boston containing approximately 374,247 square feet. The premises on which the Project is to be located is hereinafter referred to as the "Project Area". The land is presently owned by the Applicant. Title to the Project Area was acquired by the Applicant by Deed from the City of Boston on January 16, 1970, for the purpose of building thereon dwelling units for elderly persons. This Project is to be financed by the Massachusetts Housing Finance Agency.

The following structures and facilities are proposed to be constructed on the Project Area:

1. A building varying in height from six to eight stories and consisting of two attached wings. This building, considered to be Phase III of this entire development, consists of approximately 212 dwelling units designed for elderly persons or families. Phase I, which was approved by the Boston Redevelopment Authority October 31, 1968, and built by Jewish Community Housing for the Elderly, Inc., consists of 234 units constructed on flat slab concrete frame, ten stories in height. Phase II, which was approved by the Boston Redevelopment Authority on March 30, 1972, and built by Jewish Community Housing for the Elderly II, Inc., consists of 256 units in a building varying in height from three to five stories and consisting of five attached wings and a free standing but connected common facilities building. The wing closest to Wallingford Road will be

six stories and contain 77 units, the wing located further from Wallingford Road will be eight stories and contain 135 units. It is intended that the design of the Project will complement the previous Phases.

2. A common facilities building which will be connected to the two wings and will contain a large meeting space, and several small special activities rooms.

3. There will be spaces available for 73 automobiles on the Phase III parcel, but these parking spaces will serve Phase I and Phase II areas as well.

C. Authority Action. In passing upon the Application, the Authority has considered the Application itself, all documents, plans and exhibits filed therewith or referred to therein, the oral evidence presented at the hearing, the exhibits offered in evidence at the hearing and the arguments and statements made at the hearing. The members of the Authority have also viewed the Project Area.

The Project as defined in the Application constitutes a "Project" within the meaning of Section 1 of Chapter 121A of the General Laws, providing, as it does, for the construction, operation and maintenance of decent, safe and sanitary residential buildings and appurtenant facilities.

D. The Project Area. The existing conditions warrant a finding that the Project Area is a "blighted open area" within the meaning of Section 1 of Chapter 121A. In particular, the Authority finds that it is an area that is unduly costly to develop soundly through the

ordinary operations of private enterprise because the Project site contains very considerable quantities of ledge.

The conditions which cause the blight are not being remedied by the ordinary operations of private or public enterprise. The topographical conditions of the site present such serious development difficulties that the Parks and Recreation Department of the City of Boston which had the custody of the site for more than a decade was not able by reasonable expenditure to use the site as a recreational facility. No other residential proposals have been undertaken because their prosecution and completion under the conditions in the Project Area have not been feasible without the aids provided by Chapter 121A of the General Laws, as amended, and Chapter 652 of the Acts of 1960.

These conditions warrant the carrying out of the Project in accordance with the legislative mandate contained in Chapter 121A of the General Laws, and the Application constitutes a "Project" within the meaning of that law. The Authority has concluded that while this Project Area stands near the limits of the statutory definition "blighted open area", it is well inside these limits. The purpose of Chapter 121A and Chapter 652 of the Acts of 1960 will be met by this Project. The demand for decent, safe, and sanitary housing for elderly persons at rent levels below those which the conventional operations of the real estate market produce is, as a matter of common knowledge, intense. Long waiting lists face any elderly person who seeks admission to existing public housing for

the elderly projects. Construction of a substantial and handsome structure proposed for the Project Area will serve to alleviate this intense demand, and will in addition encourage the conservation and improvement of an area of substantial dwellings located adjacent to the Project Area. It will provide substantial financial return to the City of Boston. Exhibit E of the Application sets forth an example of the type of Agreement to be entered into between the City of Boston and the Applicant. This Agreement provides in substance that there be paid to the City of Boston in lieu of real estate taxes in each of the forty (40) calendar years after approval of the Project, an amount over the excise payable under General Laws, Chapter 121A, Section 10. The Authority has communicated with the City that in order to encourage this needed elderly housing that no more than 17% of effective gross income of the Project should be charged by the City. Exhibit E is attached only for illustrative purposes and the approval of this Report and Decision does not bind the City or the Developer to the terms and conditions of Exhibit E.

E. Cost of the Project. In the opinion of the Authority the cost of the Project has been realistically estimated in the Application and the Project is practicable. The budget for Phase III or the Project Area which is now under consideration, contemplates a total development cost of \$5,750,000.00. The Project is to be financed by the Massachusetts Housing Finance Agency and will include units subsidized under Section 8 of the Housing and Community Development Act of 1974. The Massachusetts Housing Finance Agency has approved

a \$6,000,000.00 commitment for the Project. Combined Jewish Philanthropies will provide seed money and working capital funds needed for preliminary expenses.

F. Consistency with Master Plan. The Project does not conflict with the Master Plan of the City of Boston. The Master Plan contemplates multi-family housing in the area in which the Project site is located, and the Project is, therefore, consistent with the Master Plan.

G. Effect of the Project. The Project will not be in any way detrimental to the best interests of the public or the City or to the public safety or convenience or be inconsistent with the most suitable development of the City. The Project will in fact forward the best interests of the City and will constitute a public use and benefit. The structure to be erected under the Project is an attractive and efficiently designed building, with ample light and air and appurtenant spaces, and will enhance the general appearance of the area and furnish attractive and necessary living accommodations. The location proposed is excellent for housing for elderly persons, because it presents ready access to public transportation, affords pleasant park-like surroundings, is convenient to the Cleveland Circle retail area, and is conveniently located with respect to excellent medical facilities. The total number of units in the three Phases will be 711, and because of the large number of units being together, additional elderly services not otherwise available will be possible. These will include hot meals, recreational and

counseling programs. The Plans for the Project and its operation have been reviewed by the Massachusetts Housing Finance Agency and the Authority's Design Review Staff and will be subject to further design review of the Boston Redevelopment Authority.

The carrying out of the Project will not in itself involve the destruction or alteration of any existing structure nor, in any way, the displacement of any persons from their present dwellings.

The Project Area does not include land within any location approved by the State Department of Public Works for the extension of the Massachusetts Turnpike into the City of Boston.

H. Minimum Standards. The minimum standards for financing, construction, maintenance, and improvement of the Project as set forth in Exhibit D filed with and attached to the Application are hereby adopted and imposed as rules and regulations (in addition to those hereinafter adopted and imposed) applicable to this Project for the same period as the Project is subject to the provisions of Chapter 121A of the General Laws and Chapter 652 of the Acts of 1960, as amended.

In addition to the minimum standards set forth in Exhibit D, the Authority hereby requires that the Applicant, prior to obtaining a building permit, (1) enter into a Regulatory Agreement with the Authority pursuant to the requirements of General Laws, Chapter 121A, Section 18c and containing such other terms and conditions as the Authority may in its discretion deem necessary and appropriate; (2) submit to the Authority for its review and approval such Plans and Specifications for the Project that the Authority may require, and

accept such changes and modifications thereto as the Authority may deem necessary or appropriate; and (3) adhere to such design review controls and requirements as the Authority may in its discretion impose.

Additionally, the Authority requires the Applicant, to the fullest extent permitted by applicable law, to give special emphasis and consideration to applications for tenancy from elderly persons of the immediate area, where it has been established that there is a dire need for such housing.

The carrying out of the Project will not require the erection, maintenance, and use of a garage within 500 feet of one or more buildings occupied in whole or in part as a public or private school having more than 50 pupils, or as a public or private hospital having more than 25 beds, or as a Church.

The Project does not involve the construction of units which constitute a single building under the Boston Building Code and Zoning Law.

I. Deviations. Exhibit C filed with and attached to the Application lists the Zoning deviations and Building Code deviations required for Phase III construction. For the reasons set forth in the Application and supporting documents, including said Exhibit C, and in the evidence presented at the hearing, and in this Report, the Authority hereby finds that each and every one of the permissions hereinafter granted is reasonably necessary for the carrying out of the total Project and may, subject to such conditions as are hereafter set forth with respect thereto respectively, be granted

without substantially derogating from the intent and purposes of the applicable laws, codes, ordinances, and regulations, respectively; and the Authority is also satisfied by reliable and generally accepted tests, or by experience in other cities that the other designs, construction, materials, apparatus, equipment or methods specified in the Application and supporting documents, including Exhibit C, and in the evidence presented at the hearing, will sufficiently satisfy the purposes for which it or they are to be used and the purposes of the applicable laws, codes, ordinances, or regulations, respectively.

In summary, permission is granted to deviate from the following provisions of the Zoning Code:

- (i) Section 8-7(7) to permit multi-family use in R-.5 district.
- (ii) Section 307 to permit accessory use wing in R-.5 district.
- (iii) Sections 13-1 and 14-2 to permit lot area of 526 square feet per dwelling unit.
- (iv) Sections 13-1 and 16-1 to permit 90 foot height of Phase I, 45 foot height in Phase II and 53 foot and 70 foot heights in Phase III.
- (v) Section 13-1 and 17-1 to permit deviation from requirement to supply 711,000 square feet of usable open space.
- (vi) Sections 13-1 and 15-1 to permit F.A.R. of 1.34.
- (vii) Section 23-1 to permit 107 parking spaces overall and less than 48 spaces on the Phase I parcel.

- (viii) Sections 13-1, 19-1 and 20-1 to permit a side yard of nine feet on northerly side of Phase I and a six foot rear yard against the westerly boundary of Phase II. Permit 20 foot rear yard to the west of Wing B if westerly yard is treated as rear yard rather than front yard.

b. Building Code

Permission is granted to deviate from Section 2.7 of the State Plumbing Code, as is incorporated in the State Building Code by Article 17 in the following respect: permit installation of connections for 6 washing machines rather than one for every six apartments, which would require 36 washing machines, a quantity obviously in excess of what is necessary to meet the needs of the tenants.

J. Environmental Considerations. Conformably with the provisions of Section 62 of Chapter 30 of the General Laws (as inserted by Chapter 781 of the Acts of 1972), and the Regulations thereunder as adopted by the Authority on April 11, 1974, the Authority has made an environmental examination which contains, among others, the following findings:

1. The Project does not adversely affect any recreational areas or any aesthetic values in the surrounding area.
2. The Project will involve removal of a wooded mound and a portion of a wooded rock outcropping at edges of the Project Area.
3. The Project affects no archeological or historic features.

4. The Project does not affect the potential use, extraction, or conservation of a scarce natural resource.
5. The Project Area serves no rare or endangered wildlife or fish species.
6. The site is urban and contains no significant fish, wildlife or plant life.
7. The Project will require deviations from the Zoning Code of the City of Boston as further detailed herein, but not in such manner as will cause damage to the environment.
8. The Project does involve some blasting to remove rock outcroppings but precautions are planned to avoid adverse impact.
9. The Project does not involve the construction of facilities in a flood plain.
10. The Project, except necessarily during the construction phase, does not result in the generation of a significant amount of noise or dust.
11. The Project does not result in a deleterious effect on the quality of any portion of the State's air or water resources.
12. The Project does not affect an area of important scenic value.

Therefore, the Authority concludes that the Project will not

cause any environmental damage. The Environmental Assessment of the Project has been prepared jointly by the Authority and the Massachusetts Housing Finance Agency, and a joint report will be filed by the Authority and the Massachusetts Housing Finance Agency with the Secretary for Environmental Affairs.

MEMORANDUM

JUNE 12, 1975

TO: BOSTON REDEVELOPMENT AUTHORITY

FROM: ROBERT T. KENNEY, DIRECTOR

SUBJECT: JEWISH COMMUNITY HOUSING FOR THE ELDERLY III, INC.
APPROVAL OF 121A REPORT AND DECISION WITH STATEMENT
OF NO SIGNIFICANT ENVIRONMENTAL IMPACT

On May 29, 1975, a public hearing was held for approval of a Project by Jewish Community Housing for the Elderly III, Inc., pursuant to Chapter 121A of the General Laws of Massachusetts.

The Applicant is a charitable corporation and sought consent to construct a Project which consists of one building with two wings varying in height from six to eight stories. The Project is to provide low and moderate income housing and will be financed by the Massachusetts Housing Finance Agency with a 100% mortgage. The Project will include the use of subsidies provided by Section 8 of the Housing and Community Development Act of 1974.

The Authority has also made inquiry into the Environmental Impact of the Project pursuant to Sections 61 and 62 of Chapter 30 of the Massachusetts General Laws. The proposal of the Jewish Community Housing for the Elderly III, Inc., has thus been examined both as to its Environmental Impact and as to its 121A criteria and is found fully acceptable.

It is therefore appropriate at this time that the Authority adopt the Report and Decision for Jewish Community Housing for the Elderly III, Inc., and approve the Project as having no significant Environmental Impact.

An appropriate Vote follows:

VOTED: That the Document presented at this meeting entitled "Report and Decision on Application for Approval of the Redevelopment Project located at 30 Wallingford Road in Brighton By Jewish Community Housing for the Elderly III Inc.", which Report and Decision includes a determination by the Authority that said Project has no significant Environmental Impact, be and hereby is approved and adopted.